

REMARKS

Applicant notes with appreciation that the previous requirement for restriction has been withdrawn.

There are no formal matters outstanding.

Claims 21-30, "32-39-49", and 51-55 were rejected as anticipated by CHRISTOPHERNSON 4,636,204.

Claims 21, 22, 24, 25, 28, 33-41, 43, 44, 47, 49, 50 and 52-56 were rejected as anticipated by, or in the alternative, obvious over, CONNOLLY 4,303,067.

Claims 31, 50, and 56 were rejected as obvious over CHRISTOPHERNSON.

The application has been amended and is believed to be in condition for allowance.

Claim 21 has been amended to incorporate the features previously found in claims 24-25. Claim 36 has been amended to incorporate the features previously found in claims 43, 44, and 45.

Claim 21 has been amended to recite that the skirt (6) is welded on the neck (4) at said bearing surfaces, thus reciting a specific structure.

New claim 57 recites that the pressure deformable container (2) contains a single dose of a cosmetic, a pharmaceutical or a food product, and new claim 58 recites that the packaging region contains a single dose of a cosmetic, a pharmaceutical or a food product.

No new matter is entered by way of these amendments.

Additionally, claims 23, 29, 30, 42, 48, 49, and 56 have been cancelled. Claims 26 and 46 have been amended to depend from claims 21 and 36 respectively.

The presently presented claims are believed to be both novel and non-obvious. Accordingly, allowance of all the claims is solicited.

The invention relates to a container particularly useful for packaging single dose of liquid or paste products. The head is in addition advantageously capable of being broken so that such containers are well adapted to the conditioning of drugs, cosmetic creams, fragrances or the like.

Single dose packages need to be manufactured at low price and to expedite the filling of the internal volume of the package. Economical issues therefore involve strong technical constraints for the production of such containers.

The invention brings a solution to these needs with a package that is easy to fill and easy to close. This is notably due to the welding of the nozzle on the neck which is a quick and totally sealed assembly process. At the same time, a classical closure, notably by friction, would product plastic swarfs which could affect the substance contained in the package. These swarfs may also occlude the passage for the deliverance of the substance.

Accordingly, each time there is a risk for the integrity of the packaged substance, welding cannot be used during the production of the packages and this is an important drawback in terms of manufacturing cost.

The invention proposes a package and a process which involve a welding step of the nozzle and the neck and which prevent any "pollution" of the packaged substance.

This is notably enabled by forming an internal reservation 15 created by a specific arrangement of the neck and the nozzle. The internal reservation 15 is so formed and placed relative to the welding zone that the swarfs or other unwished pollution is prevented from accessing the storage zone of the package and remain in the reservation.

CHRISTOPHERSON discloses a very particular coupling member for connecting a tube and a fluid bag for CAPD (Continuous Ambulatory Peritoneal Dialysis). The purpose of CHRISTOPHERSON is to improve the coupling between the two portions of the system and not to produce a sealed package which is to be closed after the filling.

CHRISTOPHERSON discloses a nozzle with two portions 21a, 22a assembled together but CHRISTOPHERSON does not disclose the welding of the nozzle on a neck. Indeed, the nozzle of CHRISTOPHERSON is received in a cavity formed on the neck and is retained within said cavity without any welding. See column 5, lines 41 to 44: *"These two portions ... enclosed by an outer*

widened portion 25a of the flexible tube, i.e. in this case the emptying nozzle 20a...".

More precisely, Figure 2 shows that the bottom part 23a, 24a of the two portions 21a, 22a are retained in an internal recess 25a in the neck which comprises a rounded distal end for the insertion of the two portions. The sealing is produced by the portion which is the most flexible ("less rigid portion 22a").

No welding in CHRISTOPHERSON is similar to the welding according to the invention. In addition, no internal reservation to prevent the side effects of such a welding is presented in CHRISTOPHERSON.

The claimed invention is novel.

In addition the invention is not obvious over CHRISTOPHERSON:

- a skilled person would not use CHRISTOPHERSON as close document for improving the welding of a nozzle on a neck of a container since CHRISTOPHERSON does not teach such a welding; and

- even in view of CHRISTOPHERSON, the skilled person would not have made an internal reservation to prevent the side effects (swarfs or else) of the welding. The claims are thus also non-obvious.

CONNOLLY discloses a bag for medical substances with a neck which coacts with a nozzle. According to the description, these two portions are secured "outside the bag by means of a

*solvent seal between flange 16 and the upper end of support tube 9", column 3, line 45.*

No internal reservation in combination with a welding is presented by CONNOLLY. The claims are thus novel.

In addition, preventing the side effects of the welding of the neck and the nozzle is not suggested at all by CONNOLLY so that a skilled person would not have made the invention in view of this document.

In contrast, both CHRISTOPHERSON and CONNOLLY would give to a skilled person the prejudice that a welding is not appropriate for coupling a nozzle and a neck especially in medical applications.

At least a skilled person would not have derived a welding combined with an internal reservation from these two documents.

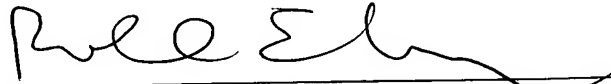
From the above, applicant has demonstrated that the pending claim set is both novel and non-obvious. Reconsideration and allowance of all the claims are therefore respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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